

REMARKS

Proposed amendments have been to claims 21, 29, 33, 34 and 37 to obviate the 35 U.S.C. §112, second paragraph, rejections and to place the claims in better form for appeal, if necessary. Reconsideration and withdrawal of the final rejection in view of the following remarks are respectfully requested.

In the final Office Action, claims 21-24, 26, 27 and 29-37 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. Accordingly, Applicants have proposed amendments to claims 21, 29, 33, 34 and 37 to obviate this rejection. Entry of these proposed amendments is respectfully requested in order to place the claims in better form for appeal, if necessary.

In particular, the Office Action questioned with respect to claim 21 “whether the inlet, drain and outlet are part of the membrane cylindrical containers.” This is not correct. Accordingly, Applicants have clarified that the inlet is a main raw water inlet (for example 9 in Fig. 1). Of course, the drain is identified, for example, as the backwashing drain 8 in Fig. 1. Moreover, the outlet of produced water is identified, for example, as 31 in Fig. 4.

Regarding the unclear recitation in claim 21 of “whose open ends located at the bottom”, Applicants have clarified that the two open ends are located “downward” as shown, for example, in Fig. 3. Hence, the “downward” direction is with respect to the membrane themselves, not any attendant structure.

Regarding claim 29, Applicants have clarified that it is a “filtration collector for the water coming from the filtration” as suggested by the Examiner. Likewise, claim 34 has been amended to refer to the filtered water.

Regarding claim 37, here Applicants have clarified that the modules are disposed at "a bottom of a dry compartment". By contrast, claim 21 recited that the membranes are in cylindrical containers that form the modules.

Lastly, claim 33 has been amended to clarify that the free ends of the raw water feed pipes (for example ends 16 shown in Fig. 3) are oriented downward and evacuation channels (for example 10) are located under the free ends 16.

In view of the above, Applicants submit claims 21-24 and 26-48 are definite within the strictures of 35 U.S.C. §112.

In the Office Action, claims 21-24, 26-32, and 34-37 were rejected as obvious over Cote et al. in view of Simizu et al. and Norton. Applicants respectfully traverse this rejection and request reconsideration and withdrawal thereof.

As noted in Applicants' prior remarks, Cote et al. does not disclose or suggest, among other features, the membranes being immersed in a filtration volume filled with water to be filtered whose height of water above the membranes is adapted to create a differential pressure sufficient to provoke the filtration through the membranes, or that the membranes are disposed in cylindrical containers thus forming modules, each said module comprising a raw water feed pipe connected to a top section of the module. Cote et al. discloses a negative pressure type of filtration system (see Col. 9, lines 41-44). In such a system, the suction pump 17 applies a negative pressure in the chamber 10 to thereby draw water through the membranes. The height of water above the membrane is not adapted to create a differential pressure sufficient to provoke the filtration through the membranes. In the system of Cote et al., ozone bubbles

are injected to induce a flow of water to be treated in an upward direction around the membranes. Additionally, Cote et al. does not show the membranes being disposed in cylindrical containers forming modules, each said module comprising a raw water feed pipe connected to a top section of the module. Cote et al. shows a sheath partially around the membranes. No raw water feed pipe is connected to the top of the sheaths or membranes. As seen in Fig. 5, water is conveyed at reference numeral 8 into the membrane section where it passes vertically up against the membranes and is discharged at reference numeral 8a. The feed of ozone as shown in Fig. 5 as reference numeral 6 is not a raw water feed pipe. As disclosed in Cote et al., the filtration of the water is accomplished via a suction pump and ozone bubbles imparting a current to the water.

Neither Simizu et al. or Norton rectify the deficiencies of Cote et al. Simizu et al. does not disclose or suggest, among other features, the membranes being immersed in a filtration volume filled with water to be filtered, whose height of water above the membranes is adapted to create a differential pressure sufficient to provoke the filtration through the membranes, or that the membranes are disposed in cylindrical containers thus forming modules, each said module comprising a raw water feed pipe connected to a top section of the module. Simizu et al. shows a liquid purifying device which acts under pressurized water. The water or liquid in Simizu et al. is pressurized in a container and forced through the membrane 62. The height of water above the membranes is not adapted to create a differential pressure sufficient to provoke the filtration through the membranes. Simizu et al. uses a pressurizing source such as pump 201, canister 134 or pump 32. Moreover, Simizu et al. shows the

membrane 62 within chamber 60 which is fed from the lower parts of the container 10. The water pressurized flows up to the membrane 62 via a conduit 56. Simizu et al. does not show the module comprising a raw water feed pipe connected to a top section of the module.

Likewise, Norton does not disclose or suggest, among other features, the membranes being immersed in a filtration volume filled with water to be filtered whose height of water above the membranes is adapted to create a differential pressure sufficient to provoke the filtration through the membranes, or that the membranes are disposed in cylindrical containers thus forming modules, each said module comprising a raw water feed pipe connected to a top section of the module. In Norton, a faucet mounted filter is disclosed. This type of filter operates by pressurized water in a tap source. The pressurized water flows through pipe 10 and encounters the filter assembly. Norton does not show height of water above the membranes as adapted to create a differential pressure sufficient to provoke filtration through the membranes. Moreover, the filtration membranes in Norton are not disposed in cylindrical containers forming modules. Thus, it is respectfully submitted that the claimed invention is patentably distinguishable over the cited art, as noted above. Accordingly, withdrawal of the rejections is respectfully requested.

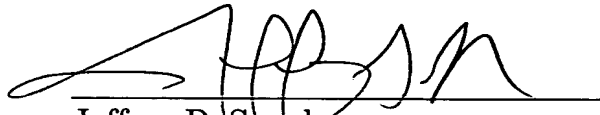
In view of the foregoing, Applicants submit claims 21-24 and 26-48 are now in condition for allowance. An early notice to that effect is solicited.

If there are any questions regarding this amendment or the application in general, a telephone call to the undersigned would be appreciated since this should expedite the prosecution of the application for all concerned.

If necessary to effect a timely response, this paper should be considered as a petition for an Extension of Time sufficient to effect a timely response, and please charge any deficiency in fees or credit any overpayments to Deposit Account No. 05-1323 (Docket #2143/49565).

Respectfully submitted,

November 17, 2003


Jeffrey D. Sanok
Registration No. 32,169

CROWELL & MORING, LLP
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 624-2500
Facsimile No.: (202) 628-8844

JDS:pct